

Appl. No. 09/862,992
Reply to Office Action of January 28, 2005

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

Claim 1-16 (Canceled)

Claim 17 (Currently amended): A method for transacting transfers of commodities, the method comprising:

- preparing contracts for delivery of quantities of a commodity between a buyer and sellers;
- ~~executing a software application on a computer to aggregate~~ aggregating the contracts into a smaller number of contracts between the buyer and a derivatives provider;
- observing the price of the commodity at observation points over a period of time;
- specifying a minimum price;
- for each of the observation points, selecting the minimum price in the event the observed price is less than the minimum price, and selecting the observed price in the event the observed price is greater than the minimum price;
- calculating a price for a quantity of the commodity based on the average of the selected prices and a discount below the average; and
- paying to each seller an amount based upon the calculated price.

Claim 18 (Original): The method of claim 17, further comprising executing a financial swap between the buyer and the derivatives provider.

Claim 19 (Previously Presented): The method of claim 17, further comprising:

- executing a financial swap between the buyer and a reseller service company; and
- executing a financial swap between the reseller service company and the derivatives provider.

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Claim 20 (Original): The method of claim 17, further comprising receiving a marketing fee from the derivatives provider.

Claim 21 (Original): The method of claim 17, further comprising hedging the risks of the aggregated contracts.

Claim 22 (Original): The method of claim 17, further comprising maintaining anonymity between the derivatives provider and the sellers.

Claim 23 (Currently amended): A method for transacting transfers of commodities, the method comprising:

- preparing contracts for delivery of quantities of a commodity between a buyer and sellers;
- executing a software application on a computer to aggregate ~~aggregating~~ the contracts into a smaller number of contracts between the buyer and a derivatives provider;
- observing the price of the commodity at observation points over a period of time;
- specifying a maximum price;
- for each of the observation points, selecting the maximum price in the event the observed price is greater than the maximum price, and selecting the observed price in the event the observed price is less than the maximum price;
- calculating a price for a quantity of the commodity based on the average of the selected prices and a premium above the average; and
- paying to each seller an amount based upon the calculated price.

Claim 24 (Original): The method of claim 23, further comprising executing a financial swap between the buyer and the derivatives provider.

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Claim 25 (Previously Presented): The method of claim 23, further comprising:
executing a financial swap between the buyer and a reseller service company; and
executing a financial swap between the reseller service company and the derivatives
provider.

Claim 26 (Original): The method of claim 23, further comprising receiving a marketing fee
from the derivatives provider.

Claim 27 (Original): The method of claim 23, further comprising hedging the risks of the
aggregated contracts.

Claim 28 (Original): The method of claim 23, further comprising maintaining anonymity
between the derivatives provider and the sellers.